

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	
	:	
v.	:	Criminal No.
	:	
BOB MITCHELL,	:	Violations:
a/k/a "Bobby Mitchell"	:	
ANTHONY MITCHELL	:	18 U.S.C. § 371 (Conspiracy to commit
JIMMY NICHOLAS	:	mail fraud - 1 Count)
STEVEN ELI,	:	
a/k/a "Steven Ely"	:	
ANTHONY MITCHELL,	:	
a/k/a "Bird"	:	
SONNY ELI,	:	
a/k/a "Kojack"	:	
JEANNE ELI,	:	
a/k/a "Tabatha Miller"	:	

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times relevant to this indictment:

1. J.C., an individual known to the grand jury, represented himself to be an insurance agent who could obtain life insurance policies.
2. Prudential Life Insurance was a life insurance company, providing among other products, life insurance policies. Applications for life insurance through Prudential are mailed to 2101 Welsh Road, Dresher, PA 19025.
3. LabOne was a company which does testing for life insurance applications with a mailing address of Post Office Box 2035, Shawnee Mission, Kansas 662014.
4. A Prudential Life Insurance application for a term life insurance policy requires the insurance agent, the applicant, and the owner of the policy to sign the application forms. The

completed forms would then be mailed to the insurance company for acceptance and approval.

5. An application for a term life insurance policy with a face amount of \$500,000 or more requires the applicant to submit to a medical examination or test to identify the existence of any condition or disease which will disqualify the applicant from obtaining insurance.

6. J.C. supplied LabOne oral fluid specimen kits (hereinafter “lab kits”) to term life insurance applicants.

7. The LabOne lab kit required a saliva sample from a term life insurance applicant for testing to determine the presence of nicotine, cocaine and HIV. After the applicant provided the saliva sample, the sample was placed in a commercial postage-paid mailing box, for the purpose of being sent through the United States Postal Service to LabOne.

8. On or about April 22, 2002, in the Eastern District of Pennsylvania, the defendants

BOB MITCHELL,
a/k/a “Bobby Mitchell”
ANTHONY MITCHELL
JIMMY NICHOLAS
STEVEN ELI,
a/k/a “Steven Ely”
ANTHONY MITCHELL,
a/k/a “Bird”
SONNY ELI,
a/k/a “Kojack” and
JEANNE ELI,
a/k/a “Tabatha Miller”

conspired and agreed together and with others known and unknown to the grand jury, to commit mail fraud, in violation of 18 U.S.C. §1341, that is, to devise and intend to devise a scheme to defraud and to obtain money by means of false and fraudulent representations and for the purpose of executing

such a scheme or attempting to do so, place any matter or thing whatever to be sent or delivered by the Postal Service..

MANNER AND MEANS

It was part of the conspiracy that:

9. The defendants BOB MITCHELL, a/k/a “Bobby Mitchell,” ANTHONY MITCHELL, JIMMY NICHOLAS, STEVEN ELI, a/k/a “Steven Ely,” ANTHONY MITCHELL, a/k/a “Bird,” SONNY ELI, a/k/a “Kojack, and JEANNE ELI, a/k/a “Tabatha Miller,” agreed to obtain two life insurance policies in the name of an elderly, ill individual, P.N., who is known to the grand jury, and falsely represented to Prudential Insurance Company that the individual was in good health.

10. Defendants BOB MITCHELL, a/k/a “Bobby Mitchell,” ANTHONY MITCHELL, JIMMY NICHOLAS, STEVEN ELI, a/k/a “Steven Ely,” ANTHONY MITCHELL, a/k/a “Bird,” SONNY ELI, a/k/a “Kojack, and JEANNE ELI, a/k/a “Tabatha Miller,” utilized J.C., who they believed to be an insurance agent, to facilitate the scheme by providing the defendants with insurance policy applications, medical questionnaires and lab kits.

11. The defendants agreed to forge the information on the life insurance applications by providing the required personal applicant-insured information and information relative to the owner of the policies, names of beneficiaries, mail the information to Prudential Insurance Company and share in the proceeds when R.N. eventually died.

OVERT ACTS

In furtherance of the conspiracy, and to accomplish its object, the defendants BOB MITCHELL, a/k/a “Bobby Mitchell,” ANTHONY MITCHELL, JIMMY NICHOLAS, STEVEN

ELI, a/k/a “Steven Ely,” ANTHONY MITCHELL, a/k/a “Bird,” SONNY ELI, a/k/a “Kojack, and JEANNE ELI, a/k/a “Tabatha Miller,” and others unknown to the grand jury, committed and caused to be committed the following overt acts in the Eastern District of Pennsylvania.

1. On or about April 22, 2002, BOB MITCHELL, a/k/a “Bobby Mitchell,” ANTHONY MITCHELL, JIMMY NICHOLAS, STEVEN ELI, a/k/a “Steven Ely,” ANTHONY MITCHELL, a/k/a “Bird,” SONNY ELI, a/k/a “Kojack, and JEANNE ELI, a/k/a “Tabatha Miller,” met with J.C. at the Sheraton Hotel, University City, Philadelphia, PA, for the purpose of fraudulently purchasing term life insurance policies on P.N., an individual suffering from a life-threatening illness.

2. On or about April 22, 2002, the defendants BOB MITCHELL, a/k/a “Bobby Mitchell,” ANTHONY MITCHELL, JIMMY NICHOLAS, STEVEN ELI, a/k/a “Steven Ely,” ANTHONY MITCHELL, a/k/a “Bird,” SONNY ELI, a/k/a “Kojack, and JEANNE ELI, a/k/a “Tabatha Miller,” directed J.C. to prepare application forms for two term life insurance policies from Prudential Life Insurance in the name of P.N. for the face amount of \$500,000 each. J.C. wrote on the application forms that the location where the forms were completed was Atlanta, Georgia.

3. On or about April 22, 2002, defendant JIMMY NICHOLAS, forged the signature of insurance applicant P.N. on two Prudential Life insurance policy application with the face amount of \$500,000 each.

4. On or about April 22, 2002, defendant JIMMY NICHOLAS signed one application form with his own signature as the owner of one of the Prudential Life Insurance policies and defendant STEVEN ELI signed as the owner of the other policy, both of which were in the name of P.N.

5. On or about April 22, 2002, defendant JIMMY NICHOLAS, posing as Prudential insurance policy applicant P.N., falsely provided his own saliva specimen to be submitted in the lab kit for the required analysis.

All in violation of Title 18, United States Code, Section 371.

A TRUE BILL

FOREPERSON

PATRICK L. MEEHAN
UNITED STATES ATTORNEY